

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK OWEN and JAMES WANDLING,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

ELASTOS FOUNDATION, FENG HAN, and
RONG CHEN,

Defendants.

Case No. 1:19-cv-5462-GHW

**DECLARATION OF CARL P. HUDSON IN SUPPORT OF DEFENDANTS'
MOTION TO DENY CLASS CERTIFICATION**

I, Carl P. Hudson, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746, as follows:

1. I am an associate of the law firm of Paul Hastings LLP, attorneys for Defendants Elastos Foundation (“Elastos”), Feng Han, and Rong Chen (collectively, “Defendants”), in the above-captioned action.

2. I submit this declaration in support of Defendants’ Motion to Deny Class Certification.

3. As of today, Defendants have produced 1,041,571 pages of documents from 15 custodians in this litigation.

4. Attached as **Exhibit 1** is a true and correct copy of the document produced by Plaintiffs in this litigation beginning with Bates number PLF00001666.

5. Attached as **Exhibit 2** is a true and correct copy of the document produced by Plaintiffs in this litigation beginning with Bates number PLF00001692.

6. Attached as **Exhibit 3** is a true and correct copy of the document produced by Defendants in this litigation with the Bates number ELF-00920240, which documents the list of participants in the Elastos ICO. This document was attached to an email from Bo Lei to Fay Li, Heng Li, Kevin Zhang, and Hongjie Hu on February 11, 2019. Attached as **Exhibit 4** is a true and correct copy of this email, produced by Defendants in this litigation with Bates number ELF-00920239.

7. Attached as **Exhibit 5** is a true and correct copy of the document produced by Plaintiffs in this litigation beginning with Bates number PLF00001699.

8. Attached as **Exhibit 6** is a true and correct copy of the document produced by Plaintiffs in this litigation beginning with Bates number PLF00001707.

9. Attached as **Exhibit 7** is a true and correct copy of the document produced by Defendants in this litigation beginning with Bates number ELF-00113341.

10. Attached as **Exhibit 8** is a true and correct copy of the document produced by Plaintiffs in this litigation beginning with Bates number PLF00001721.

11. Attached as **Exhibit 9** is a true and correct copy of the document produced by Defendants in this litigation with the Bates number ELF-00920242, which documents the list of participants in the Elastos Lock-In Program. Attached as **Exhibit 10** is a translated version of this same document. This document was attached to an email from Yusheng Cai to Fay Li, Hongjie Hu, and Bo Lei on December 19, 2018. Attached as **Exhibit 11** is a true and correct copy of this email, produced by Defendants in this litigation with Bates number ELF-00920241.

12. Attached as **Exhibit 12** is a true and correct copy of the document produced by Defendants in this litigation beginning with Bates number ELF-00065988.

13. Attached as **Exhibit 13** is a true and correct copy of a blog post from the Elastos website dated October 20, 2020. I found the blog post at the following website address <https://elastos.info/blog/bittrex-global-lists-ela/> (last checked on October 10, 2022) and then had it converted to a PDF for submission to the Court.

14. Attached as **Exhibit 14** is a true and correct copy of the Bittrex Global (Bermuda) Ltd. Terms of Service dated March 18, 2022. I found the terms of service at the following website address <https://bittrexglobal.zendesk.com/hc/en-us/articles/6448629957275-Bittrex-Global-Bermuda-Terms-of-Service> (last checked on October 10, 2022) and then had it converted to a PDF for submission to the Court.

15. Attached as **Exhibit 15** is a true and correct copy of the document produced by Plaintiffs in this litigation beginning with Bates number PLF00002886.

16. Attached as **Exhibit 16** is a true and correct copy of the Huobi Global Limited User Agreement. I found the Huobi Global Limited User Agreement at the following website address <https://www.huobi.com/en-us/about/agreement/> (last checked on October 10, 2022) and then had it converted to a PDF for submission to the Court.

Dated: San Francisco, California
October 11, 2022

By: /s/ Carl P. Hudson
Carl P. Hudson